

Legislative BULLETIN

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February 9, 2001

Flat Funding Proposed for County Jails

On Sunday, February 4 inmates at the overcrowded York County Jail staged an uprising by blocking visual access to their area, smashing television sets and windows, setting fire to books and newspapers and jamming the toilets to flood the facility.

The next morning, by pure coincidence, the Appropriations Committee and Criminal Justice Committee held a joint public hearing on the elements of the proposed biennial budget bill dealing with the Department of Corrections, one line of which depicts the proposed level of state financial support for the county jails for the next two years.

In that budget, the Governor is proposing to flat fund the County Jail Prisoner Support and Community Corrections account, freezing state support at the \$4.85 million provided during FY 01 for both FY 02 and FY 03. The frozen funding level is \$310,000 less than provided in FY 98 and nearly \$400,000 less than provided in FY 99. At the same time, the overall budget of the Department of Corrections to cover state operations would increase by over 16% under the Governor's plan.

Everyone knows that if the state flat funds this line of the budget, the increased costs of county jail operation will be borne by the property taxpayers. As Franklin County Commissioner Fred Hardy put it, shortchanging the county jails is "deja vu all over again", a throw-back to the period of the early 1990's, when the Community Corrections Act was repeatedly underfunded.

Budget is policy, and the policy statement in the Governor's proposal is that the sharply increasing costs of op-

erating the county jails is a property tax problem – that the county jails are not really an integral part of the state's correctional system, at least financially.

Dozens of county officers and jail officials from the state's largest and smallest counties were on hand Monday morning to express their deep concern with flat funding state support for county jails in the face of spiking costs.

Esther Clennot, a Cumberland County Commissioner, told the Appropriations Committee that some county budgets will be coming in with double-digit percentage increases this year, and it is the cost of operating jails that is the root cause of the budget pressures.

Clennot said that in at least one county, the jail budget spiked almost 50% from 2000 to 2001, and two overall county budget increases have exceeded 50% this year.

What's driving the increased costs of running the jails? Many of those factors are driving increases in the cost of running the state's prisons, including costs of constructing new facilities to deal with both antiquated buildings and overcrowding, energy price increases, employee health benefits, and the increased resources necessary to hire and retain a capable and qualified corrections staff.

(continued on page 3)

Revenue Sharing Bill Gets Hearing This Thursday

LD 209 – *An Act To Increase the Amount Transferred through State-municipal Revenue Sharing*, will be given its public hearing on Thursday afternoon this week, February 15.

LD 209 would increase the percentage of state sales and income tax revenues transferred to the Local Government Fund and distributed as municipal revenue sharing from 5.1% to 5.5%. The .4% increase to the percentage of state sales and income tax revenues would amount to an additional \$8.7 million for municipal revenue sharing in FY 02. Because of the modifications to the revenue sharing distribution formula enacted last session, given the name "Revenue Shar-

ing II", the additional \$8 million-plus in revenue would be to some advantage to all municipalities with a property tax mill rate over 10, and to the particular advantage of municipalities with especially high mill rates, many of which are Maine's regional service center communities. LD 209 is sponsored by Senator Ken Gagnon of Waterville (Kennebec Cty.).

Municipal officials are encouraged to attend the public hearing on LD 209 to explain the need for increased revenue sharing as the pressure on property taxes refuses to let up. The public hearing for LD 209 and four other bills will begin at 1:00 p.m. in Room 127 of the State House.

Committee Addresses Unfunded Mandates

On Monday, February 5 the State and Local Government Committee held a public hearing on LD 61, *RESOLUTION, Proposing an Amendment to the Constitution of Maine to Eliminate the Ability of the Legislature to Pass Legislation Imposing Mandates on Municipalities*.

The bill sponsor, Rep. Royce Perkins (Penobscot), presented testimony outlining the need for the constitutional amendment. According to Rep Perkins, LD 61 would take the constitutional change made in 1992 one step further by requiring the state to pay 90% of all its mandates regardless of the number of votes obtained in the House and the Senate in support of the mandate. He believes that this change is important to ensure that municipalities are not continuously burdened with the cost of programs the state is not interested in administrating or funding.

The issue of unfunded mandates placed on municipalities by the state has changed significantly since the 1992 constitutional amendment was ratified. As amended by the Maine voters, the Constitution now requires the state to pay 90% of the cost of a mandate imposed on municipalities unless two-thirds of both Houses vote to enact the mandate without funding. As a result of the 1992 change, the Legislature's overall understanding of how the actions of the state can financially impact municipalities has been raised. The

efforts of the Office of Fiscal and Program Review (OFPR) to analyze each piece of legislation for potential mandates has also much improved the process. A combination of increased focus on the issue and the analytical skills of the OFPR staff has significantly reduced the amount and magnitude of unfunded mandates placed on municipalities, and for that the municipalities are very appreciative.

MMA's LPC supports LD 61 because it enables municipalities to use the revenue generated by the local taxpayers for local purposes and not for

what the state believes municipalities should fund. Unfunded mandates require towns and cities to substitute the priorities adopted by the local legislative body with state prerogatives, and pay for them with local property taxes. MMA's support for LD 61 also comes from a recognition that the 1992 constitutional amendment has not completely stopped the practice of unfunded state mandates. Since the voters asked the state to stop enacting unfunded municipal mandates, the Legislature has, for example, required local government to handle all rabies complaints, purchase and place individual flags on veterans' graves, and implement Learning Results, all without providing the necessary funding.

The work session on LD 61 has tentatively been scheduled for Wednesday, February 21st at 1 PM. (KD)

Travel on Posted Roads

On Wednesday, January 31st the Transportation Committee heard testimony on LD 78, *An Act to Clarify the Authority of Counties and Municipalities to Restrict Travel Over Local Roads Based on Gross Registered Vehicle Weight*.

The bill clarifies the authority of county commissioners and municipal officers to restrict vehicle travel over local roads based solely on gross registered vehicle weight. The bill sponsor, Rep. Ray Pineau (Jay) submitted the bill as a result of litigation filed against the town of Jay seeking to strike down the enforcement of a road-posting ordinance. The Jay ordinance restricts vehicles that have a gross registered vehicle weight in excess of 23,000 pounds from passing over certain local roads. A resident who transports his dump truck over the posted roads sued the town with the claim that the ordinance exceeded its authority by limiting travel based on the gross registered weight rather than actual weight. Superior Court Justice Marden found that there exists nothing in law to limit a municipality from enacting ordinances based on gross registered weight and upheld the Jay road posting ordinance.

MMA's Legislative Policy Com-

mittee (LPC) voted to support LD 78, although the municipalities believe that home rule authority already applies in the area of local road protection and vehicle-posting ordinances. Home rule authority is plenary; that is, unless a specific action of the Legislature preempts local authority, or the "statutory scheme" is so complete that additional regulation is preempted by implication, municipalities are entitled to enact ordinances that are stricter than state statutes. However, if for any reason the Legislature believes that existing law does not grant municipalities the authority to adopt ordinances restricting travel on local roads, then the municipal officers in Maine want to make sure municipalities have the authority to adopt ordinances that protect the local road infrastructure. It is too expensive an investment to play legal games with.

The only opponent of the bill, representing the Maine Motor Transport Association, suggested that the bill should be amended to prohibit municipalities from enacting ordinances limiting travel based on gross registered vehicle weight.

The Committee will hold a work session on LD 78 on February 14, 9:00 a.m., Rm 126, State House. (KD)

Legislative Bulletin

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Editorial Staff: Geoffrey Herman, Kate Dufour, Kirsten Hebert, and Laura Veilleux of the State & Federal Relations staff.



Appropriations Committee members Rep. Richard Nass (Acton) and Sen. Peter Mills (Somerset Cty) listen to testimony on Governor's budget bill.

JAILS (cont'd)

In addition to those common inflationary factors shared by both state and county corrections, many of the county officials testifying in opposition to the Governor's frozen-funding proposal listed other factors driving the growing costs of operating county jails – factors which have dredged up the unresolved debate about which prisoners are “state prisoners”, which prisoners are “county prisoners”, and the role of the county jails in the state's correctional system.

According to the testimony of the county officials, the municipal property taxpayers can expect to face increasing county assessments in the years ahead to deal with:

- Jail overcrowding in some counties;
- Increased corrections employee recruitment and retention costs;
- Increased energy costs;
- Increased employee health insurance costs;
- Increased costs of prisoner health care, including mental health care;
- Brain-injury prisoners caught in a corrections purgatory;
- Long-term incarceration in county jails pending trial and pending sentencing;
- Concurrent sentencing practices that allow the placement of prisoners in county jails for multiple terms of less

than one year, all strung together for an effective long-term incarceration;

- Short-term “probation revocation” sentences that place state prisoners in county jails for their “wake-up calls” when they break probation agreements; and
- Unlimited transportation responsibilities for juvenile offenders.

Stacked up against this brick wall of increased costs and the Governor's reluctance to increase state funding for county jail system, there is the history of the County Jail Prisoner Support account – a history that is now getting dim in the mind of at least some legislators.

According to Bob Howe, a lobbyist representing the Maine County Commissioners' Association, the history of the state's County Jail Support account goes back three Administrations, to the mid-1980s when Joe Brennan was Governor. At that time, the state faced an overcrowding problem within its facilities and a decision had to be made to either build more prison facilities or more efficiently utilize the capacity that was available at the county level. Tapping into the counties' capacity was the direction taken, and the Community Corrections Act was enacted to provide state support to the counties to the degree each county jail held a “state prisoner.” Decisions concerning the construction of county jails were based, at

least in part, on the foundation of this Community Corrections Act.

A “state prisoner” is distinguished from a “county prisoner” according to Maine's sentencing laws. The threshold has changed over time, reducing the proportion of so-called “state prisoners” in the mix of all prisoners, so that now anyone convicted of a Class D or Class E crime must be sentenced to a county jail, as must anyone convicted of a Class A, Class B or Class C crime and sentenced to a term of 9 months or less. Inmates given consecutive sentences of 9 months or less, which in the aggregate will last longer than a year, may be sentenced to either the state system or the county system, at the discretion of the judge.

During the recessionary period of the early 1990s, two phenomena were occurring. The Legislature was underfunding the Community Correction Act reimbursements, so the distribution formula among the counties could no longer be completely implemented. According to figures Howe supplied the legislative committees, the counties were shortchanged \$8.2 million during the 1990s because of legislative “notwithstanding” of the reimbursement requirements of the Community Corrections Act. Because sophisticated reimbursement formulas

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Animal Control Bills

On February 6th, the Committee on Agriculture, Conservation, and Forestry held public hearings on two animal control bills, LD 38, *An Act to Increase the Fine for Allowing a Dog to Roam at Large* and LD 139, *An Act to Amend the Animal Trespass Laws*.

Senator Paul Davis (Piscataquis Cty) introduced LD 38. The bill was submitted in an effort to deter negligent dog owners from allowing their dogs to roam at large. Currently, judges have complete discretion to assess penalties ranging from \$50-\$250. In theory, this penalty scheme should be sufficient enough to deter dog owners. However, LD 38 would increase the maximum fee to \$500. The increased fee sends a clear message that municipalities are serious about enforcing this law.

Bruce Savoy, Old Orchard Beach Animal Control Officer and State ACO Training Coordinator, testified in favor of this bill. The ACOs hope that this amendment would encourage dog owners to act responsibly. Shelley Doak, Director of the Department of Agriculture's Division of Animal Health and Industry also testified in support of LD 38. She believes that the increased penalties will assist both municipalities and the ACOs in dealing with the problems of habitual roaming dogs.

Representative Rod Carr of Lincoln suggested that the Committee impose incremental fees assessed according to the number of violations. Monetary penalties for a first time violation range from \$50-\$250. Penalties for subsequent violations would range from \$100-\$500. With Representative Carr's amendment, the Committee voted that LD 38 ought-to-pass.

LD 139, *An Act to Amend the Animal Trespass Laws*, was introduced by Representative Monica McGlocklin (Emden). This amendment seeks to remove a cat from the animal trespass laws. Because cats are trespassers by their nature, the proponents argue this bill would relieve the Animal Control Officers from having to locate and identify the owners of cats reported trespassing.

MMA opposed this bill. The proposed amendment would interfere with the municipal authority to deal with cats that have repetitiously caused problems. Under the current law, municipalities are given the authority to remove "animals" from the property of another. The law is nondiscriminatory in that it is applicable to both trespassing cats and dogs and cats can cause their own kind of problems.

Bruce Savoy testified in opposition to this bill. This amendment would make it much more difficult to pick up trespassing stray and feral cats. Animal Control Officers use the current animal trespass laws to remove cats

MDOT Driveway Rules

Public Law 1999 Chapter 676 instructed the Maine DOT to promulgate rules that would regulate the ingress and egress of traffic from state highways or state aid highways located outside Urban Compact Areas. The purpose of the proposed rules is to protect the safety of both driveway and highway users. Another goal of the rules is to prevent the increased long term cost of construction by preserving the arterial carrying capacity of the State's highway system.

MDOT's rules will apply to both private driveways as well as commercial entrance ways. Distinguishing between the two, a private drive is one in which no more than 6 trips are made in and out of the drive during the busiest hour of the day. In contrast, commercial entrance ways would generate a volume of 7 or more trips during the busiest hour of the day, according to the draft rules.

The rules establish a permitting process for entrance ways and driveways. This process includes a review of the application, DOT's findings of approval or denial in writing, and a "reconsideration" process. This process allows all aggrieved parties to request reconsideration of the decision within 30 days of the denial or grant of

that pose a significant health risk to the public. It is not uncommon to find feral cats in colonies of 30-40 feeding from the dumpsters at the public beaches. By roaming at large, feral cats are exposed to contact with rabid animals. Cat owners that have neglected to provide their cats with rabies shots are also exposing their cats to rabies. Municipal authority to trap trespassing cats is a necessary vehicle to reduce the number of rabies cases in Maine.

The Committee voted to table this bill until the remainder of the Animal Welfare bills are printed. One of these bills will introduce the concept of cat licensure, the other is a lengthy initiative clarifying the Animal Welfare Laws, developed by Maine's Animal Control Officers Association. (KH)

the permit. The rules implement monetary penalties of up to \$100 a day for violations of the rules.

Similar language creates a permitting process for driveways constructed after the effective date of the rules. Those driveways in existence on August 20, 1951 are grandfathered under the new rules, as are driveways that have been permitted by MDOT since 1951 under a procedure created by statute. If the driveway has not been permitted by MDOT, the proposed rules require the individual to go through the permitting process.

Currently, a municipality may require a permit for the construction of a driveway under 30-A M.R.S.A. § 4351. In the event the municipality has imposed more stringent standards than MDOT, the municipal requirements shall control.

To hear more about these proposed rules, the MDOT is holding a public hearing on March 9, 2001 from 1:30 p.m. until 5:30 p.m. in the Sagadahoc Room of the Augusta Civic Center. The public comment period ends on March 19, 2001.

For a copy of the proposed regulations, please contact Laura Veilleux at MMA. (KH)

(The bill summaries are written by MMA staff and are not necessarily the proposed bill's summary statement or an excerpt of that summary statement. A more comprehensive list of LDs (of municipal interest) that have been put in the Hopper can be found on MMA's website, www.memun.org)

Education and Cultural Affairs

LD 627 – An Act to Expand the Definition of School Construction to Include Renovation and Expansion of Existing Facilities. (Sponsored by Rep. Marrache of Waterville; additional cosponsors)

This bill would expand the definition of “ school construction ” to include school renovations and additions.

Legal and Veterans Affairs

LD 563 – An Act to Require Towns to Process Initiative and Referendum Petitions within One Week of Delivery. (Sponsored by Rep. Michael of Auburn)

This bill would require municipalities to process local or state initiative petitions within one week of delivery.

LD 574 – Resolution, Proposing an Amendment to the Constitution of Maine to Reduce the Number of Signatures Required for Citizen Initiatives. (Sponsored by Rep. Michael of Auburn)

This resolution would send to the voters a proposed constitutional amendment that would reduce the number of required signatures to submit a citizen-initiated legislation from 10% of the number of voters at the most recent gubernatorial election to 6% of that number of voters.

LD 575 – Resolution, Proposing an Amendment to the Constitution of Maine to Allow Maine Citizens to Propose Constitutional Amendments by Initiative. (Sponsored by Rep. Michael of Auburn)

This resolution would send to the voters a proposed constitutional amendment that would allow constitutional amendments to be initiated by citizen petition.

LD 580 – An Act to Prohibit Collection of Referendum Signatures on the Day of State Elections. (Sponsored by Rep. Stanley of Medway; additional cosponsors)

This bill would prohibit the collection of signatures for citizen-initiated legislation or referenda on the day of state elections.

LD 623 – An Act to Require Election Law Training to Voter Registrars and Clerks. (Sponsored by Rep. Tessier of Fairfield)

This bill would mandate municipal election clerks to attend Secretary of State-approved training programs at least once every two years.

Marine Resources

LD 502 – An Act to Create the Right to Fish. (Sponsored by Sen. Goldthwait of Hancock County; additional cosponsors)

This bill, generally, would establish a right to conduct commercial fishing, fish sales or fish processing operations similar in structure to Maine's Right-to-Farm Law. Pertinent to municipal government, this bill would preempt the enforcement of municipal ordinances against commercial fishing operations if the commercial fishing activity “ conforms to environmental law and appropriate environmental practice as determined by the Commissioner of Marine Resources ” .

Natural Resources

LD 578 – An Act to Assist Municipalities in Developing and Using Geographic Information Systems to Track Development and Promote Smart Growth. (Sponsored by Rep. Nass of Acton;

additional cosponsors)

This bill would establish a \$15 surcharge on all deeds subject to the Real Estate Transfer Tax recorded in the registry of deeds for the purpose of creating the Geographic Referencing Assistance Fund to develop, coordinate and maintain a regionally-based geographic information system (GIS) and to assist regional councils and municipalities in the development and use of GIS for tracking patterns of land use development. The goal is to have all municipal tax maps digitally recorded and maintained in GIS data systems. Of all the revenue generated by the \$15 deed recordation surcharge, 10% would stay with the county to cover administrative costs, 25% would go to the Geographic Referencing Assistance Fund, and the remaining 65% would be distributed by each county to its designated regional service provider to provide assistance to municipalities with regard to the use of GIS.

LD 650 – An Act Creating a Fund to Assist Towns with Public Water Sources that have Eurasian Milfoil. (Sponsored by Rep. Waterhouse of Bridgton; additional cosponsors)

This bill would create a fund to assist municipalities in controlling invasive aquatic plant populations that pose a threat to public water supplies. The bill does not appropriate any money to the fund, but instead requires the DEP to report back to the Natural Resources Committee by January 15, 2002 with ideas for capitalizing this fund.

State and Local Government

LD 518 – An Act to Promote Affordable Housing for the Elderly. (Sponsored by Rep. Ledwin of Holden; additional cosponsors)

This bill amends the laws governing the municipal authority to issue general obligation bonds (GOBs) to include an express authority to issue GOBs for the purpose of providing municipally-owned rental housing for the elderly.

LD 562 – An Act to Allow Municipalities to Create Capital Improvement Districts. (Sponsored by Rep. Andrews; additional cosponsors)

This bill would authorize municipalities to establish “ capital improvement districts ” according to certain procedures. Capital improvement districts are specifically delineated, localized areas within a municipality for which specific improvements would be made by the municipality with the costs specially assessed against the property owners in the district. Upon completion, the improvements become the responsibility of the municipality.

LD 639 – An Act to Require Notification to All Property Owners in a Municipality of a Zoning Change Made in That Municipality. (Sponsored by Rep. Foster of Gray by request; additional cosponsors)

This bill would require that a timely notice of the proposed adoption of, or proposed amendment to, any zoning or shoreland zoning ordinance would have to be mailed to every person against whom a property tax is assessed by the municipality.

Taxation

LD 496 – An Act to Amend the Maine Revenue-sharing Formula. (Sponsored by Sen. Lemont of York County; additional cosponsors)

This bill would further amend the municipal Revenue Sharing system, as it was amended during the last legislative session to create “ Revenue Sharing II ” . The bill would make three changes. First, this bill would do away with the threshold figure of \$105.67 million (total Revenue Sharing distributed in FY 2000) which separates traditional revenue sharing distribution under current law from the modified Revenue Sharing II distribution formula.

(continued on page 6)

HOPPER (cont'd)

Second, this bill amends the Revenue Sharing II distribution formula to deduct 12.5 mills from each municipality's full value tax rate rather than the 10 mill deduction under current law, further advantaging high mill rate communities and excluding low mill rate municipalities (with property tax rates less than 12.5 mills) from Revenue Sharing II funds. Finally, this bill would create an additional transfer to the Local Government Fund for the purpose of Revenue Sharing II distribution of .5% of state sales and income taxes (approximately \$10 million a year).

LD 533 – An Act to Improve the Business Equipment Tax Reimbursement Program. (Sponsored by Rep. Mailhot of Lewiston; additional cosponsors)

This bill would eliminate the so-called “double dip” between the Business Equipment Tax Reimbursement Program (BETR) and the Tax Increment Financing Program (TIF) under which a business can get reimbursed for a single property tax payment twice — once by the state and once by the town. This bill would disallow a BETR payment by the state if the tax payment will be reimbursed by the town pursuant to a TIF agreement.

LD 617 – An Act to Require Property Tax Payments on Conservation Easements and Development Rights Purchased After October 1, 2001. (Sponsored by Rep. Glynn of South Portland; additional cosponsors)

This bill would expressly provide that conservation easements granted after October 1, 2001 are subject to property taxation.

LD 632 – Resolution, Proposing an Amendment to the

Constitution of Maine to Allow Municipalities the Option of Exempting Personal Property from Taxation if No Property Owner in the Municipality Owns More than 2% of the Taxable Property in the Municipality. (Sponsored by Rep. Brooks of Winterport; additional cosponsors)

This resolution would send to the voters a proposed constitutional amendment that would allow municipalities to adopt an ordinance to exempt all personal property in that municipality from taxation, provided no single property owner owned more than 2% of the taxable property in the municipality.

LD 635 – Resolution, Proposing an Amendment to the Constitution of Maine to Value All Land Based on Its Current Use. (Sponsored by Rep. Foster of Gray; additional cosponsors)

This resolution would send to the voters a proposed constitutional amendment that would require all property to be assessed at its current use rather than its just value.

Transportation

LD 507 – An Act to Provide Property Tax Relief from the Cost of Public Transportation. (Sponsored by Rep. Marley of Portland; additional cosponsors)

This bill would require the Department of Transportation to financially participate in locally-funded public transportation programs as a share of the local appropriation. For FY 2002, the state share would be at least 20% of the property tax contribution paid to the transportation provider. For FY 2003, the state share would increase to 25%. For FY 2004 and thereafter, the state share would increase to at least 30%.

JAILS (cont'd)

become somewhat meaningless when they are not properly funded, it became clear during this same period of time that there was more paper work and interpretation disputes associated with administering the jail reimbursement system than should be necessary.

As a result, a fairly common legislative redesign of the reimbursement system was implemented in 1997 – a “base year” system — that simply divided the appropriation provided for county jail support according to the fixed proportion of total prisoner population in each county jail as of that base year. For the purposes of administrative efficiency, the concept of “state prisoner” vs. “county prisoner” was erased.

The Commissioner of the Department of Corrections, Marty Magnusson, told the legislative committees that there are now no state prisoners in county jails, a claim that reinforces the impression among some legislators that the state subsidy of county jails is merely a gift from the state...that except for this subsidy, the state system of corrections and the

county system of corrections are two autonomous ships that pass each other, without functional relationship, in the night.

In an attempt to cut through the evolution of the County Jail Support program, Appropriations Chair Senator Jill Goldthwait (Hancock Cty.) asked Kennebec County Sheriff Bryan Lamoreau what functional differences, at least in theory, exist between the state and county systems. Lamoreau said that the difference was essentially that between short-term detention and long-term incarceration. The Sheriff said that the county systems in theory would keep the prisoner in close proximity to family and community, implement creative and flexible work programs, release programs, remedial education and community-based counseling systems, and otherwise strive to give the offender an opportunity to be reintegrated as a productive member of the community after the sentence is served. Unfortunately, Lamoreau said, overcrowding in the Kennebec County Jail has forced the discontinuation of reintegration programs in favor, by necessity, of warehousing.

On Thursday afternoon the Criminal Justice Committee convened to de-

velop its recommendation on the Governor's flat funding proposal, in preparation for a report back to the Appropriations Committee. The Criminal Justice Committee voted to table the issue. Prior to the motion to table, the Committee agreed that its recommendation to the Appropriations Committee would be to do better than flat funding the County Jail Prisoner Support account.

Issues for further deliberation include whether the consumer price index would be an appropriate index to measure jail inflationary costs, or whether a more specialized index should be developed given that jail cost-drivers are very different from traditional consumer cost-drivers. The Committee also will have to wrestle with how to fund its proposed increase to this account, which looks to fall in the \$300,000 range over the biennium, and whether the fixed-percentage system of distribution, based on a 5-year old apportionment, is fair. Senator Mike McAlevey (York Cty.) indicated that even the Governor's Office has seen the merit in providing some increased support to this account, and will help find some revenues in a very tight budget for this purpose. (GH)

LEGISLATIVE HEARINGS

NOTE: You should check your newspapers for Legal Notices as there may be changes in the hearing schedule. Weekly schedules and supplements are available at the Senate Office at the State House and at the Legislature's web site at <http://janus.state.me.us/legis>. If you would like to be notified by e-mail of updates to the schedule and web page, send your name, e-mail address, and a message that includes " ANPH UPDATE" to the Senate Webmaster at webmaster_senate@state.me.us.

Monday, February 12

State & Local Government

Room 216, Cross State Office Building, 9:00 a.m.

Tel: 287-1330

LD 184 – An Act to Expand Contract Zoning Authority for Municipalities. (Sponsor: O' NEIL)

LD 241 – An Act to Change the Fiscal Year of Sagadahoc County. (Sponsor: PEAVEY)

Tuesday, February 13

Appropriations & Financial Affairs

Room 228, State House, 1:00 p.m.

Tel: 287-1635

Department of Administration & Financial Affairs/ Policy Committee Work Session - " Part I" Policy Committee Recommendations

1:00 p.m. Inland Fisheries & Wildlife

1:45 p.m. Marine Resources

2:15 p.m. Natural Resources

3:00 p.m. Health & Human Services

Business & Economic Development

Room 208, Cross State Office Building, 1:30 p.m.

Tel: 287-1331

LD 29 – An Act to Implement the Recommendations of the Task Force to Reduce the Burden of Home Heating Costs on Low-income Households. (Emergency) (Submitted by the Task Force to Reduce the Burden of Home Heating Costs on Low-income Households)

LD 65 – An Act to Require That Elevators in Public Buildings be Large Enough to Accommodate Ambulance Stretchers. (Sponsor: BULL)

Marine Resources

Room 437, State House, 1:00 p.m.

Tel: 287-1377

LD 281 – An Act to Clarify Where a Public Hearing Involving Dredging Activity by the Department of Marine Resources Must be Held. (Sponsor: ETNIER)

Utilities & Energy

Room 209, Cross State Office Building, 1:30 p.m.

Tel: 287-4143

LD 288 – An Act to Clarify Access to Private Lines in a Public Way. (Sponsor: TRACY)

Wednesday, February 14

Appropriations & Financial Affairs

Room 228, State House, 9:00 a.m. (All Day)

Department of Administration & Financial Affairs/ Policy Committee Work Session - " Part I" Policy Committee Recommendations

9:00 a.m. Education

11:00 a.m. Taxation

1:00 p.m. Judiciary

2:00 p.m. Criminal Justice

3:30 p.m. Legal & Veterans' Affairs

Transportation

Room 126, State House, 1:30 p.m.

Tel: 287-4148

LD 140 – An Act to Require the Commissioner of Transportation to Accelerate Repairs that Improve Access Roads to Rural Areas of the State. (Emergency) (Sponsor: BUNKER)

Thursday, February 15

Appropriations & Financial Affairs

Room 228, State House, 1:00 p.m.

Tel: 287-1635

Department of Administration & Financial Affairs/ Policy Committee Work Session - " Part I" Policy Committee Recommendations

1:00 p.m. Labor

2:00 p.m. State & Local Government

3:00 p.m. Transportation

4:00 p.m. Legislative Council

Business & Economic Development

Room 208, Cross State Office Building, 1:00 p.m.

Tel: 287-1331

LD 249 – An Act to Amend the Rule-making Process Regarding the State's Plumbing Code. (Emergency) (Sponsor: TOBIN)

LD 248 – An Act to Promote Economic Development in Rural Maine. (Sponsor: GOOLEY)

Legal & Veterans Affairs

Room 436, State House, 1:30 p.m.

Tel: 287-1310

LD 193 – An Act to Require the Secretary of State to Establish a Central Voter List for the State. (Sponsor: TESSIER)

LD 206 – An Act to Require That Ballots Be Single-sided. (Sponsor: LEMOINE)

Taxation

Room 127, State House, 1:00 p.m.

Tel: 287-1552

LD 120 – An Act to Increase the Homestead Property Tax Exemption from \$7,000 to \$10,000. (Sponsor: DAVIS)

LD 145 – An Act to Protect Senior Homeowners. (Sponsor: MENDROS)

LD 171 – An Act to Require the State to Reimburse Communities and Unorganized Territories for Loss of Tax Revenue when the State Purchases 100 Acres or More of Land. (Sponsor: CARR)

LD 180 – An Act to Increase the Homestead Property Tax Exemption. (Sponsor: BUNKER)

LD 209 – An Act to Increase the Amount Transferred through State-municipal Revenue Sharing. (Sponsor: GAGNON)

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HEARINGS (cont'd)

Friday, February 16

Appropriations & Financial Affairs

Room 228, State House, 9:00 a.m.

Tel: 287-1635

Department of Administration & Financial Affairs/ Policy Committee Work Session - " Part I" Policy Committee Recommendations

9:00 a.m. Business & Economic Development

10:30 a.m. Agriculture, Conservation & Forestry

1:00 p.m. Department of Administration & Financial Affairs Committee Work Session (Report Back Discussion)

Criminal Justice

Room 211, Cross State Office Building, 9:30 a.m.

Tel: 287-1122

LD 260 – An Act to Provide Funds to Purchase Thermal Imaging Cameras. (Sponsor: TRAHAN)

Tuesday, February 20

Business & Economic Development

Room 208, Cross State Office Building, 1:00 p.m.

Tel: 287-1331

LD 341 – An Act to Appropriate Block Grants to Promote Regional Tourism. (Sponsor: MILLS)

Criminal Justice

Room 211, Cross State Office Building, 1:00 p.m.

Tel: 287-1122

LD 349 – An Act Concerning the Transportation of Juvenile Offenders. (Sponsor: PEAVEY)

Labor

Room 220, Cross State Office Building, 1:30 p.m.

Tel: 287-1333

LD 237 – An Act Concerning Eligibility Requirements for State Employees, Teachers and Participating Local District Employees to Purchase Military Service Credit. (Sponsor: MITCHELL B)

Taxation

Room 127, State House, 1:00 p.m.

Tel: 287-1552

LD 263 – An Act to Authorize the Maine Land Use Regulation Commission to Receive Real Estate Transfer Tax Forms for Municipalities in its Jurisdiction. (Sponsor: GAGNON) (Submitted by the Department of Conservation)

LD 174 – An Act to Amend the Determination of Penalty for the Tree Growth Tax Law. (Sponsor: GOOLEY)

LD 261 – An Act to Establish the Maine Resident Homestead Property Tax Rebate Program.

(Sponsor: GOODWIN)

LD 325 – An Act to Enhance Collectibility of the Penalty for Failure to File the Municipal Valuation Tax Return. (Sponsor: MILLS)

LD 398 – An Act to Allow Municipalities to Determine the Level of Auto Excise Tax. (Sponsor: KILKELLY)

